

**UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF TEXAS  
EL PASO DIVISION**

IN RE: **Daniel Romero, Jr.**  
**Yvonne Romero**  
Debtor(s)

Case No.  
  
Chapter 13 Proceeding

☐ AMENDED    ☐ MODIFIED  
**DEBTOR(S)' CHAPTER 13 PLAN**  
**AND MOTIONS FOR VALUATION AND LIEN AVOIDANCE**

*Creditors are hereby notified that the following Plan may be amended at any time before confirmation. Any amendment may affect your status as a creditor. The Debtor's estimate of how much the Plan will pay, projected payments, and estimates of the allowed claims may also change. The following information advises creditors of the status of the case based on the information known at the time of its preparation. Any special concerns of a creditor may justify attendance at the Meeting of Creditors and such other action as may be appropriate under the circumstances. More detailed information is on file at the Office of the United States Bankruptcy Clerk in El Paso or Waco, Texas. Local Bankruptcy Rules and Standing Orders on procedures are available at the Clerk's Office and online at [www.txwb.uscourts.gov](http://www.txwb.uscourts.gov).*

*Use of the singular word "Debtor" in this Plan includes the plural where appropriate.*

**Plan Summary**

- A. The Debtor's Plan Payment will be \$675.00 Monthly, paid by ☒ Pay Order or ☐ Direct Pay for 60 months. The gross amount to be paid into the plan is \$40,500.00.
- B. The Plan proposes to pay all allowed priority claims in full, all secured claims to the extent of the value of the collateral or the amount of the claim, whichever amount is provided for in Section VI below, and approximately 5% of each unsecured allowed claim.
- THIS PLAN DOES NOT ALLOW CLAIMS. YOU MUST FILE A PROOF OF CLAIM BY THE APPLICABLE DEADLINE TO RECEIVE DISTRIBUTIONS UNDER ANY PLAN THAT MAY BE CONFIRMED. CREDITORS ARE REFERRED TO THE FEDERAL RULES OF BANKRUPTCY PROCEDURE, THE LOCAL BANKRUPTCY RULES FOR THE WESTERN DISTRICT OF TEXAS, AND THE APPLICABLE STANDING ORDER RELATING TO CHAPTER 13 CASE ADMINISTRATION FOR THIS DIVISION, FOR INFORMATION ON THESE AND OTHER DEADLINES.
- C. The value of the Debtor's non-exempt assets is \$0.00.
- D. If the payment of any debt is proposed to be paid directly by the Debtor outside the Plan, it is so noted in Section VI(1), set forth below.

**Plan Provisions**

**I. Vesting of Estate Property**

- ☐ Upon confirmation of the Plan, all property of the estate shall vest in the Debtor and shall not remain as property of the estate.
- ☒ Upon confirmation of the Plan, all property of the estate shall not vest in the Debtor, but shall remain as property of the estate.
- ☐ Other (describe):

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*Continuation Sheet # 1*

**II. Pre-Confirmation Disbursements**

In accordance with the applicable Standing Order Relating to Chapter 13 Case Administration, the Debtor requests and consents to disbursement by the Chapter 13 Trustee of payments prior to confirmation of the Plan to evidence the Debtor's good faith, promote successful completion of the case, and to provide adequate protection to secured creditors. The Debtor shall remit such payments to the Trustee commencing 15 days after the filing of the petition. Provided all conditions for disbursement are met and unless otherwise ordered by the Court, the Trustee shall begin disbursing to creditors as provided below, on the first regularly scheduled disbursement after 30 days after the the petition is filed. Payments under this paragraph will cease upon confirmation of the Plan.

Creditor/Collateral	Pre-Confirmation Payment Amount	Other Treatment Remarks
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**III. Executory Contracts/Unexpired Leases/Contracts for Deed**

Pursuant to 11 U.S.C. §1322(b)(7) of the Bankruptcy Code, the Debtor hereby elects to assume the following executory contracts, unexpired leases, and/or contracts for deed, if any:

Creditor Name	Description of Contract	Election	In Default
VW Credit inc	2013 Passat	Assumed	No

Pursuant to 11 U.S.C. §1322(b)(7) of the Bankruptcy Code, the Debtor hereby elects to reject the following executory contracts, unexpired leases, and/or contracts for deed, if any:

Creditor Name	Description of Contract	Election	In Default
(None)			

**IV. Motion to Value Collateral Pursuant to 11 U.S.C. § 506**

The Trustee shall pay allowed secured claims, which require the filing of a proof of claim, to the extent of the value of the collateral or the amount of the claim, whichever amount is provided for in Section VI(2), hereof, plus interest thereon at the rate specified in this Plan. Except for secured claims for which provision is made to pay the full amount of the claim notwithstanding the value of the collateral, the portion of any allowed claim that exceeds the value of the collateral shall be treated as an unsecured claim under Section VI(2)(F).

The Debtor(s) move(s) to value the collateral described below in the amounts indicated. The values as stated below represent the replacement values of the assets held for collateral, as required under Section 506(a)(2). Objections to valuation of collateral proposed by this Motion and Plan must be filed no later than ten (10) days prior to the confirmation hearing date. If no timely response or objection is filed, the relief requested may be granted in conjunction with confirmation of the Plan.

Creditor / Collateral	Estimated Claim	Value of Collateral	Monthly Payment or Method of Disbursement	Interest Rate	Anticipated Total to Pay	Other Treatment/Remarks
GECU 2009 Ford F150	\$8,114.00	\$15,100.00	Pro-Rata	5.25%	\$16,700.64	Pay Claim
GECU 2009 Ford F150	\$965.00	\$0.00	Pro-Rata	5.25%	\$0.00	X Collateral

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*Continuation Sheet # 2*

GECU 2009 Ford F150	\$600.00	\$0.00	Pro-Rata	5.25%	\$0.00	X Collateral
Gvt Emp Cu 2009 Ford F150	\$10,082.00	\$6,986.00	Pro-Rata	5.25%	\$7,726.52	X Collateral
Gvt Emp Cu 2009 Ford F150	\$10,072.00	\$0.00	Pro-Rata	5.25%	\$0.00	X Collateral

*"I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on  
**December 23, 2014** ."*

/s/ Daniel Romero, Jr.  
Debtor

/s/ Yvonne Romero  
Joint Debtor

**V. Motion to Avoid Lien Pursuant to 11 U.S.C. § 522(f)**

The Bankruptcy Code allows certain liens to be avoided. If a lien is avoided, the claim will not be treated as a secured claim but as an unsecured claim under Section VI(2)(F).

The Debtor moves to avoid the following liens that impair exemptions. Objections to lien avoidance as proposed in this Plan must be filed no later than ten (10) days prior to the confirmation hearing date. If no timely objection is filed, the relief requested may be granted in conjunction with confirmation of the Plan. (Debtor must list the specific exempt property that the lien impairs and the basis of the lien--e.g., judicial lien, nonpurchase-money security interest, etc.)

<b>Creditor / Property subject to lien</b>	<b>Amount of Lien to be Avoided</b>	<b>Remarks</b>
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**VI. Specific Treatment for Payment of Allowed Claims**

**1. PAYMENTS TO BE MADE BY THE DEBTOR DIRECTLY TO CREDITORS, INCLUDING POST-PETITION DOMESTIC SUPPORT OBLIGATIONS**

**A.** Debtor(s) shall pay the following creditors directly. Creditors with claims based on a post-petition domestic support obligation ("DSO"), including all governmental units to which a DSO claim has been assigned, or is owed, or that may otherwise recover a DSO claim, MUST be paid directly. Minors should be identified by their initials only. If no DSO creditor is listed, the Debtor represents he/she has no domestic support obligation.

All direct payments listed below shall be made in addition to the Plan payments made by Debtor to the Chapter 13 Trustee as herein set forth. Secured creditors who are paid directly shall retain their liens, and the Debtor(s) shall maintain insurance on the collateral, in accordance with the terms of the documents creating the lien on the collateral.

<b>Creditor / Collateral, if any (including the name of each DSO creditor)</b>	<b>Remarks</b>	<b>Debt Amount</b>	<b>Payment Amount/Interval</b>
El Paso Tax Assessor-Collector 14213 Hunter Creek	Thru 2014 Direct Pay	\$7,927.00	
Us Bank Home Mortgage 14213 Hunter Creek	Direct Pay by debtors	\$263,268.00	\$2,136.00
Volkswagon Credit Inc 2013 Volkswagon Passat- Lease	Assumed Lease	\$21,161.00	\$543.00

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*Continuation Sheet # 3*

**B.** Debtor surrenders the following collateral. Confirmation of the Plan shall operate to lift the automatic stay provided by 11 U.S.C. § 362(a) with respect to the collateral listed, and any unsecured deficiency claim may be filed in accordance with the procedures set forth in the Standing Order Relating to Chapter 13 Case Administration for this Division.

Creditor/Collateral	Collateral to Be Surrendered
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**2. PAYMENTS TO BE MADE BY TRUSTEE TO CREDITORS**

**A.** Administrative Expenses

Administrative Expenses shall include the Trustee's commission and debtor's attorney's fees. The Trustee shall receive up to 10% of all sums received. No fees or expenses of counsel for the debtor(s) may be paid until the filing fee is paid in full, and any fees and expenses that are allowed in addition to the fees and expenses originally agreed to be paid, may be paid only after all prior allowed fees and expenses have been paid.

Creditor	Estimated Amount of Debt	Payment Method: before secured creditors, after secured creditors, or along with secured	Remarks
Watson Law Firm, P.C.	\$3,200.00	Along With	
Western District of Texas Bankr Court	\$155.00	Along With	

**B.** Priority Claims, Including Domestic Support Obligation Arrearage Claims

Creditor	Estimated Amount of Debt	Payment Method: before secured creditors, after secured creditors, or along with secured	Remarks
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**C.** Arrearage Claims

Creditor / Collateral	Estimated Claim	Estimated Value of Collateral	Monthly Payment or Method of Disbursement	Interest Rate	Anticipated Total to Pay	Other Treatment/Remarks
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**D.** Cure Claims on Assumed Contracts, Leases, and Contracts for Deed

Creditor/Subject Property, if any	Estimated Amount of Cure Claim	Monthly Payment or Method of Disbursement	Remarks
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*Continuation Sheet # 4*

**E. Secured Creditors**

Secured creditors shall retain their liens on the collateral that is security for their claims until the earlier of the date the underlying debt, as determined under non-bankruptcy law, has been paid in full, or the date of discharge under 11 U.S.C. § 1328. Therefore, if the debtor's case is dismissed or converted without completing of all Plan payments, the liens shall be retained by the creditors to the extent recognized by applicable non-bankruptcy law.

Creditor/Collateral	Estimated Claim	Value of Collateral	Monthly Payment or Method of Disbursement	Interest Rate	Anticipated Total to Pay	Other Treatment/Remarks (specifically note if claim amount to be paid although greater than value of collateral)
GECU 2009 Ford F150	\$8,114.00	\$15,100.00	Pro-Rata	5.25%	\$16,700.64	Pay Claim
GECU 2009 Ford F150	\$965.00	\$0.00	Pro-Rata	5.25%	\$0.00	X Collateral
GECU 2009 Ford F150	\$600.00	\$0.00	Pro-Rata	5.25%	\$0.00	X Collateral
Gvt Emp Cu 2009 Ford F150	\$10,082.00	\$6,986.00	Pro-Rata	5.25%	\$7,726.52	X Collateral
Gvt Emp Cu 2009 Ford F150	\$10,072.00	\$0.00	Pro-Rata	5.25%	\$0.00	X Collateral

**F. General Unsecured Creditors (including claims from rejection of contracts, leases and contracts for deed).**

*Describe treatment for the class of general unsecured creditors.*

General Unsecured Creditors will receive approximately 5% of their allowed claims.

Creditor	Estimated Debt	Remarks
Aqua Finance Inc	\$5,292.00	
Best Buy	\$2,955.00	
Bk Of Amer	\$8,089.00	
Cap1/berpl	\$0.00	
Cap1/fmrw	\$0.00	
Cap1/hlzbq	\$2,338.00	
Capital One, N.a.	\$3,450.00	
Central Finl Control	\$870.00	
Chase	\$6,433.00	
Chase	\$5,576.00	
Chase	\$3,165.00	
Chase - Cc	\$0.00	
Citibank	\$1,417.00	
Citifinancial	\$0.00	
Comenity Bank/New York & Company	\$251.00	
Comenity Bank/vctrsec	\$971.00	
Dell Financial Services	\$0.00	
Dpt Ed/slm	\$0.00	
Fed Loan Serv	\$56,298.00	

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*Continuation Sheet # 5*

Financial Corporation Of America	\$0.00	
First Natl Bank	\$0.00	
Ford Motor Credit Corporation	\$0.00	
GECRB/Care Credit	\$1,412.00	
GECRB/Marta-generic	\$0.00	
GECU	\$965.00	Unsecured portion of the secured debt (Bifurcated)
GECU	\$600.00	Unsecured portion of the secured debt (Bifurcated)
Gvt Emp Cu	\$3,096.00	Unsecured portion of the secured debt (Bifurcated)
Gvt Emp Cu	\$10,072.00	Unsecured portion of the secured debt (Bifurcated)
Hlzg/cbna	\$0.00	
Hsbc/mitsu	\$0.00	
James B Nutter & Co	\$0.00	
Kohls/capone	\$1,459.00	
Navient	\$49,303.00	
Project/gemb	\$0.00	
Round Two Recovery Llc	\$20.00	
Sams Club / GEMB	\$0.00	
Sams Club / GEMB	\$2,440.00	
Sears/cbna	\$0.00	
Slm Financial Corp	\$0.00	
Syncb/ashley Furniture	\$0.00	
Syncb/discount Tire	\$211.00	
Syncb/gap	\$0.00	
The Limited/WFNNB	\$1,581.00	
Wellsfargo	\$0.00	

**Totals:**

Administrative Claims	<u>\$3,355.00</u>
Priority Claims	<u>\$0.00</u>
Arrearage Claims	<u>\$0.00</u>
Cure Claims	<u>\$0.00</u>
Secured Claims	<u>\$22,086.00</u>
Unsecured Claims	<u>\$168,264.00</u>

**VII. Supplemental Plan Provisions**

The following are the Supplemental Plan Provisions:

**Agreed Orders**

Agreed Orders shall control in any conflict between Plan provisions and the provisions in the Agreed Orders.

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*Continuation Sheet # 6*

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**Disposable Earnings**

Pursuant to 11 U.S.C. § 1322(a)(1) of the Bankruptcy Code, the Debtor(s) shall submit all or such portion of future earnings or other future income of the debtor to the supervision and control of the trustee as is necessary for the execution of the plan. The Debtor(s) agree to report to the Trustee any changes in income that would necessitate modifying their plan by either increasing or decreasing their plan payment or increasing or decreasing payout to unsecured creditors

**Authorization to send monthly bills**

Confirmation of the Plan shall constitute authority for creditors, such as lien-holders on real property and lien-holders on vehicles, who receive monies as direct payments from Debtor(s) as a result of Debtor(s) election to pay such monies outside of the plan to send monthly statements as a convenience to the Debtor(s) and such statements shall not be considered a violation of the provisions of the automatic stay.

**Certain Pre-Confirmation Disbursements**

If a creditor is listed as secured and scheduled to receive pre-confirmation disbursements and post-confirmation payments along with the other secured creditors, but such creditor subsequently files an unsecured claim, then the creditor will not receive any pre-confirmation disbursements and upon confirmation will be paid along with the other unsecured creditors. The funds that were allocated to such creditor as a pre-confirmation disbursement will be distributed on a pro-rata basis to the other secured creditors. Similarly, the funds scheduled to be received by such creditor along with other secured creditors on a pro-rata basis.

**Misfiled and Unfiled Creditors Paid Accordingly**

If any secured proof of claim is timely filed for a debt that was either not listed or listed as unsecured, the claim shall be allowed as secured unless, it is objected to. Said claims shall be paid under the plan at 5.5% interest. Likewise, if any priority proof of claim is timely filed for a debt that was either not listed or listed as unsecured, the claim shall be allowed as priority unless it is objected to. Said priority claim shall not be paid with any interest.

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*Continuation Sheet # 7*

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Respectfully submitted this date: **12/23/2014**.

**/s/ W. Matt Watson**

W. Matt Watson  
1123 E. Rio Grande  
El Paso, Texas 79902  
Phone: (915) 562-4357 / Fax: (866) 201-0967  
(Attorney for Debtor)

**/s/ Daniel Romero, Jr.**

Daniel Romero, Jr.  
14213 Hunter Creek  
El Paso, TX 79938  
(Debtor)

**/s/ Yvonne Romero**

Yvonne Romero  
14213 Hunter Creek  
El Paso, TX 79938  
(Joint Debtor)



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*Joint Debtor*

CHAPTER **13**

**CERTIFICATE OF SERVICE**

I, the undersigned, hereby certify that on December 23, 2014, a copy of the attached Chapter 13 Plan, with any attachments, was served on each party in interest listed below, by placing each copy in an envelope properly addressed, postage fully prepaid in compliance with Local Rule 9013 (g).

**/s/ W. Matt Watson**

W. Matt Watson  
Bar ID:24028878  
Watson Law Firm, P.C.  
1123 E. Rio Grande  
El Paso, Texas 79902  
(915) 562-4357

Aqua Finance Inc  
xxxxxx4266  
1 Corporate Dr  
Wausau, WI 54401

Cap1/frnrw  
xxxxxxxxxx2733  
Po Box 30253  
Salt Lake City, UT 84130

Chase  
xxxxxxxxxx7561  
Po Box 15298  
Wilmington, DE 19850

Best Buy  
xxxxxxxxxx8259  
HRS  
P.O. Box 15521  
Wilmington, DE 19850

Cap1/hlzbq  
xxxxxxxxxx2860  
26525 N Riverwoods Blvd  
Mettawa, IL 60045

Chase  
xxxxxxxxxx1520  
Po Box 15298  
Wilmington, DE 19850

Bk Of Amer  
xxxxxxxxxx6223  
Po Box 982235  
El Paso, TX 79998

Capital One, N.a.  
xxxxxxxxxx7318  
Capital One Bank (USA) N.A.  
PO Box 30285  
Salt Lake City, UT 84130

Chase  
xxxxxxxxxx6273  
Po Box 15298  
Wilmington, DE 19850

Cap1/berpl  
xxxxxxxxxx6291  
Po Box 30253  
Salt Lake City, UT 84130

Central Finl Control  
xxxxxx5652  
Po Box 66044  
Anaheim, CA 92816

Chase - Cc  
xxxxxxxxxx9580  
Chase Card Svcs/Attn:Bankruptcy Dept  
PO Box 15298  
Wilmington, DE 19850

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CHAPTER **13**

**CERTIFICATE OF SERVICE**

(Continuation Sheet #1)

Citibank  
xxxxxxxxxxxx7525  
Citicorp Credit Services/Attn: Centraliz  
PO Box 790040  
Saint Louis, MO 63179

Dpt Ed/slm  
xxxxxxxxxxxxxxxx0616  
11100 Usa Pkwy  
Fishers, IN 46037

GECRB/Care Credit  
xxxxxxxxxxxx9622  
Attn: bankruptcy  
PO Box 103104  
Roswell, GA 30076

Citifinancial  
xxxxxxxxxxxx1164  
300 Saint Paul Pl  
Baltimore, MD 21202

El Paso Tax Assessor-Collector  
221 North Kansas Suite 300  
El Paso, Texas 79901

GECRB/Marta-generic  
xxxxxxx0024  
Attention: Bankruptcy  
PO Box 103104  
Roswell, GA 30076

Comenity Bank/New York & Company  
xxxxx5852  
Attention: Bankruptcy  
P.O. Box 182686  
Columbus, OH 43218

Fed Loan Serv  
xxxxxxxxxxxx0006  
Po Box 60610  
Harrisburg, PA 17106

GECU  
xxxxxxx1544  
Attn: Bankruptcy  
PO Box 20998  
El Paso, TX 79998

Comenity Bank/vctrsscc  
xxxxx4226  
220 W Schrock Rd  
Westerville, OH 43081

Financial Corporation Of America  
xxxx3871  
Attn: Bankruptcy  
PO Box 203500  
Austin, TX 78720

GECU  
xxxxxxx1542  
Attn: Bankruptcy  
PO Box 20998  
El Paso, TX 79998

Daniel Romero, Jr.  
14213 Hunter Creek  
El Paso, TX 79938

First Natl Bank  
xxxxxxxxxxxx1699  
Po Box 278  
Fabens, TX 79838

GECU  
xxxxxxx9421  
Attn: Bankruptcy  
PO Box 20998  
El Paso, TX 79998

Dell Financial Services  
xxxxxxxxxxxx9455  
Dell Financial Services Attn:  
Bankruptcy  
PO Box 81577  
Austin, TX 78708

Ford Motor Credit Corporation  
xxxx9928  
Ford Motor Credit  
PO Box 6275  
Dearborn, MI 48121

Gvt Emp Cu  
xxxxxxxxxxxx4649  
7227 Viscount Blvd  
El Paso, TX 79925

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CHAPTER **13**

**CERTIFICATE OF SERVICE**

(Continuation Sheet #2)

Gvt Emp Cu  
xxxxxxxxxxxx7286  
7227 Viscount Blvd  
El Paso, TX 79925

Navient  
xxxxxxxxxxxxxxxx1027  
Po Box 9500  
Wilkes Barre, PA 18773

STUART C. COX  
Standing Chapter 13 Trustee,  
1760 North Lee Trevino Dr.  
El Paso, TX 79936

Hlzg/cbna  
xxxxxxxxxxxx1660  
Po Box 6497  
Sioux Falls, SD 57117

Project/gemb  
xxxxxxxxxxxx8383  
PO Box 103104  
Roswell, GA 30076

Stuart C. Cox, Trustee  
1760 North Lee Trevino  
El Paso, TX 79936

Hsbc/mitsu  
xxxxxxxxxxxx9886  
Attention: HSBC Retail Services  
Po Box 5263  
Carol Stream, IL 60197

Round Two Recovery Llc  
xxxxxxxxxxxx5008  
3690 E I 240 Service Rd  
Oklahoma City, OK 73135

Syncb/ashley Furniture  
xxxxxxxxxxxx8910  
C/o Po Box 965036  
Orlando, FL 32896

James B Nutter & Co  
xx1845  
4153 Broadway  
Kansas City, MO 64171

Sams Club / GEMB  
xxxxxxxxxxxx7295  
Attention: Bankruptcy Department  
PO box 103104  
Roswell, GA 30076

Syncb/discount Tire  
xxxxxxxxxxxx4023  
C/o P.o. Box 965036  
Orlando, FL 32896

Kohls/capone  
xxxxxxxxxxxx4695  
N56 W 17000 Ridgewood Dr  
Menomonee Falls, WI 53051

Sears/cbna  
xxxxxxxxxxxx0043  
Po Box 6283  
Sioux Falls, SD 57117

Syncb/gap  
xxxxxxxxxxxx6851  
4125 Windward Plaza  
Alpharetta, GA 30005

Linebarger Goggan Blair & Sampson,  
LLP  
711 Navarro, Suite 300  
San Antonio, TX 78205

Slm Financial Corp  
xxxxxxxxxxxxxxxx1014  
Po Box 9500  
Wilkes Barre, PA 18773

The Limited/WFNNB  
xxxxx5669  
WFNNB/Attn: Bankruptcy  
PO Box 182686  
Columbus, OH 43218

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CHAPTER **13**

**CERTIFICATE OF SERVICE**  
(Continuation Sheet #3)

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Us Bank Home Mortgage  
xxxxxxxxx1573  
4801 Frederica St  
Owensboro, KY 42301

Volkswagon Credit Inc  
xxxxx8522  
National Bankruptcy Services  
9441 LBJ Freeway, Suite 250  
Dallas, TX 75241

Wellsfargo  
xxxxxxxxxxx0062  
800 Walnut St  
Des Moines, IA 50309

Western District of Texas Bankr Court  
511 E. San Antonio Ave., 4th Floor  
El Paso, TX 79901